

REMARKS

Applicant wishes to thank the Examiner for the attention accorded to the instant application, and respectfully requests reconsideration of the application as amended.

Formal Matters

Claims 1 and 3-16 are the claims currently pending in the present Application. Claims 1 and 6 are amended; claims 15 and 16 are added; claim 2 had previously been canceled. In particular, independent claims 1 and 6 are amended to recite the feature of the image including an article. Support for this amendment can be found in the specification on page 4, lines 24-27. Claim 1 is also amended to recite that the memory stores the image as a bookmark icon, correcting a minor error. New claims 15 and 16 recite that the image further comprises a title used as an index of the bookmark icon. Support for these new claims can be found in the specification on page 18, lines 4-6 and lines 11-12. Care has been taken to ensure no new matter is being entered.

Summary of Telephone Interview

Applicant thanks the Examiner for the telephone interview of April 14, 2009, and for the summary of the interview mailed April 22, 2009. Applicant agrees with the Examiner's interview summary and further believes that the Examiner agreed with applicant's assertion that the art of record does not teach or suggest a bookmark icon illustrating the actual content of an access destination information, such that the image to be stored as a bookmark icon includes the article concerning the access destination information.

Rejection of Claims 1 and 3-5 under 35 U.S.C. §112

Claims 1 and 3-5 are rejected under 35 U.S.C. §112, second paragraph, as indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 1 is amended to recite that the image is stored as a bookmark icon, clarifying that the stored image *is* the bookmark icon. Hence, withdrawal of this rejection is

respectfully requested.

Rejection of Claims 1 and 3-14 under 35 U.S.C. §103

Claims 1 and 3-14 are rejected under 35 U.S.C. §103(a) as being unpatentable over Schena et al., U.S. Patent No. 6,546,418, in view of Dougherty et al., U.S. Patent No. 6,587,859 and Turlington, "Sams Teach Yourself Netscape Communicator® 4.5 in 24 Hours". This rejection should be withdrawn based on the comments and remarks herein.

Independent claims 1 and 6 recite that the image or bookmark icon of the present invention includes an article, e.g., actual content, concerning the access destination information. In a telephone interview, the Examiner acknowledged that the art of record does not teach or suggest a bookmark icon illustrating the actual content of access destination information, such that the image to be stored as a bookmark icon includes the article concerning the access destination information. The closest reference, Dougherty, merely teaches a Multicon Linkmark which includes "human readable information [an image] indicating to a viewer the nature, function, or capability of the encoded machine readable information" (column 5, lines 1-4).

It has been held by the courts that to establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. See, *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). As illustrated above, the hypothetical combination of Schena, Dougherty, and/or Turlington does not teach or suggest an image further including an article concerning the access destination information, and does not teach or suggest each and every feature of the present invention as recited in independent claims 1 and 6. Thus *prima facie* obviousness has not been established, so that these independent claims patentably distinguish over the art of record in the application. Claims 3-5 depend from claim 1, and claims 7-14 depend from claim 6, each dependent claim incorporating all of the features and limitations of its base claim. Thus, these dependent claims are patentably distinguishable over the art of record in the application for at least the reasons that their base claims are patentably distinguishable over

the art of record the application. Accordingly, withdrawal of this rejection is respectfully requested.

New Claims

Claims 15 and 16 are added. Claim 15 depends from claim 1, and claim 16 depends from claim 6. These new claims are not anticipated by the art of record in the application for at least the reasons, discussed above, that their base claims are not anticipated by the art of record in the application. Accordingly, these claims are allowable.

Conclusion

In light of the foregoing, Applicant respectfully submits that all pending claims recite patentable subject matter, and kindly solicits an early and favorable indication of allowability. If the Examiner has any reservation in allowing the claims, and believes a telephone interview would advance prosecution, he is kindly requested to telephone the undersigned at his earliest convenience.

Respectfully submitted,



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